



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Ream *et al.*

Art Unit: 1649

Application No. 09/434,837

CERTIFICATE OF MAILING

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with the United States Postal Service on April 26, 2002 as First Class Mail in an envelope addressed to: COMMISSIONER FOR PATENTS, WASHINGTON, D.C. 20231.

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Filed: November 4, 1999

For: PLANTS HAVING ENHANCED RESISTANCE
TO GALL AND METHODS AND
COMPOSITIONS FOR PRODUCING SAME

Examiner: Medina A. Ibrahim

Date: April 26, 2002

COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

AMENDMENT AND RESPONSE TO RESTRICTION REQUIREMENT

This document is submitted in response to the Office action dated March 27, 2002, for which a one-month period for reply was set, making a response due on or before Monday, April 29, 2002.

Applicants hereby elect Examiner's Group I (claims 1-16 and 25-28). Having elected Group I, Applicants further provisionally elect with traverse SEQ ID NO: 10 (iaaM) as required by the Examiner.

Applicants request that the Examiner consider the following amendments and remarks, and modify or withdraw the requirement for restriction accordingly.

Please cancel claims 17-24 as directed to a non-elected invention.

Please add the following new claims:

29. (New) The method of claim 1, wherein a plant cell is transformed with more than one nucleic acid molecule each of which is homologous to one gene responsible for causing gall disease.